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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David COHEN

Serial No.: 10/565,552

Filed: January 23, 2006

For: EMERGENCY SITUATION
DETECTOR

Attorney Docket: **31291**



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUBMISSION OF INTERNATIONAL PRELIMINARY
EXAMINATION REPORT, (IPER)**

Sir:

This is further to the National Phase filing of the above-referenced Patent Application.

Enclosed is the International Preliminary Examination Report, (IPER) dated August 7, 2006, received from the US Patent Office on parent PCT Application No. PCT/IL2004/000288.

Respectfully submitted,

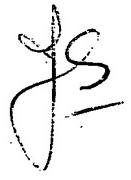
Martin D. Moynihan
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Registration No. 40,338

Date: September 18, 2006

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
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C/O ANTHONY CASTORINA
2001 JEFFERSON DAVIS HIGHWAY, SUITE 207
ARLINGTON, VA 22202



PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

		Date of Mailing (day/month/year) 07 AUG 2006
Applicant's or agent's file reference 27834		IMPORTANT NOTIFICATION
International application No. PCT/IL04/00288	International filing date (day/month/year) 29 March 2004 (29.03.2004)	Priority date (day/month/year) 08 March 2004 (08.03.2004)
Applicant COHEN, DAVID		

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/ US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Authorized officer  Daniel WU Telephone No. 571 272 2600
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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 27834	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/IL04/00288	International filing date (day/month/year) 29 March 2004 (29.03.2004)	Priority date (day/month/year) 08 March 2004 (08.03.2004)
International Patent Classification (IPC) or national classification and IPC IPC: G08B 23/00(2006.01) USPC: 340/575,576,573.5,539.1;2;600/483,508,481,485,440		
Applicant COHEN, DAVID		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

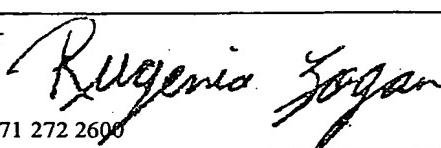
2. This REPORT consists of a total of 3 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of report with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

Date of submission of the demand 14 July 2005 (14.07.2005)	Date of completion of this report 06 July 2006 (06.07.2006)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/ US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Authorized officer Daniel Previl Telephone No. 571 272 2600 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/IL04/00288

I. Basis of the report

1. With regard to the elements of the international application:*

- the international application as originally filed.
- the description:
pages 1-10 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- the claims:
pages 11, 13-20, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages 12, filed with the demand
pages NONE, filed with the letter of _____.
- the drawings:
pages 1-2, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in printed form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages None
- the claims, Nos. NONE
- the drawings, sheets/fig NONE

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

<p>V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p>	International application No. PCT/IL04/00288
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1. STATEMENT

Novelty (N)	Claims <u>32-42, 65</u>	YES
	Claims <u>1-31, 43-64, 66-69</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-69</u>	NO
Industrial Applicability (IA)	Claims <u>1-69</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-31, 43-64, 66-69 lack novelty under PCT Article 33(2) as being anticipated by Nissila (US 6,443,904).

Regarding claims 1, 22, 43, 68-69, Nissila teaches a stress input for receiving body stress information from a subject, a physical input unit for receiving body physical reaction data from the subject, a comparator unit, associated with stress input unit and physical input unit, for comparing stress level information and physical reaction data, to detect substantially simultaneous stress level change and a physical reaction in subject; said apparatus being operable to threshold said simultaneous detection to infer the presence of an emergency situation and to enter an alarm state (col. 6, lines 15-40).

Regarding claims 2, 23, Nissila teaches the step of thresholding is a thresholding of changes (col. 6, lines 25-31).

Regarding claims 3-4, 44-45, Nissila teaches the step of attachment to subject (col. 6, line 57).

Regarding claims 5-9, 24-28, 46-50, Nissila teaches pulse rate information, breathing, sweat, sleep (col. 6, lines 47-67).

Regarding claims 10-21, 29-31, 51-64, 66-67, Nissila discloses physical input comprises an accelerometer, input unit is responsive to transmitter units placed on subjects, alarm, audio channel (col. 7, lines 1-62).

Claims 32-42, 65 lack novelty under PCT Article 33(2) as being anticipated by Prezioso (US 5,724,488).

Regarding claims 32-42, 65, Prezioso teaches a system comprising rule based logic and at least one body sensor for location on a subject, the subject being expected to follow certain behavior rules, said at least one sensor being usable in combination with said rule based logic to detect non-compliance with behavior rules, thereby to indicate an abnormal situation (col. 13, lines 10-58).

----- NEW CITATIONS -----

NONE

8. Emergency situation detection apparatus according to claim 1, configured to interpret extremely low stress level information as said subject being in a state of sleep.

9. Emergency situation detection apparatus according to claim 1, wherein said physical input unit comprises an inclination detector affixed to said subject.

10. Emergency situation detection apparatus according to claim 1, wherein said physical input unit comprises an accelerometer.

11. Emergency situation detection apparatus according to claim 1, wherein said input unit is responsive to transmitter units placed on said subjects.

12. Emergency situation detection apparatus according to claim 1, wherein said alarm state comprises automatic opening of a communication channel to a central controller.

13. Emergency situation detection apparatus according to claim 1, wherein said alarm state comprises automatic opening of an audio channel to a central controller.

14. Emergency situation detection apparatus according to claim 13, wherein an end of said audio channel is located on said subject.

15. Emergency situation detection apparatus according to claim 13, wherein said alarm state comprises automatic opening of a video link to a central controller.